IN THE HIGH COURT OF GUJARAT AT AHMEDABAD.

SPECIAL CIVIL APPLICATION No 6694 of 1988

For Approval and Signature :

Hon'ble MR. JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the Judgment ?

2. To be referred to the Reporter or not?

3. Whether Their Lordships wish to see the fair copy of the Judgment ?

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge?

K B PATEL

VERSUS

SECRETARY

Appearance:

MR KN PRAJAPATI for MR IM BENGALI for Petitioner

MR DC RAVAL for Respondents No. 1 and 2

MS HARSHA DEVANI for Respondent No.3

CORAM : MR JUSTICE S.K. KESHOTE

Date of Decision : 16/03/2000

C.A.V. JUDGMENT

1. Challenge has been made by the petitioners in

this revision application to the orders annexure `C' and `D'. Annexure `C' is the circular of the Director of Technical Education, Gujarat State, Gandhinagar dated 7/11-11-87 and annexure `D' is the notice of termination of the services of the petitioners.

2. It is unfortunate that the respondents have not cared to file any reply to the special civil application. This special civil application was admitted on 3-10-1988 and for 12 years, the respondents have not cared to file reply to the special civil application. From the documents produced on the record, I find that the notice of termination of services of the petitioners was given relying on the circular of the Government annexure `C' but on the record of this special civil application I find that the aforesaid circular was placed under suspension under the circular dated 25th November, 1987. The very basis of the termination of the service of the petitioners has gone long back. Thereafter what happened has also not been informed to the court.

3. In the facts of this case, this writ petition is disposed of in terms that the same may be considered to be representation of the petitioners and the respondent No.1 is directed to decide it by passing a reasoned order where the claim of the petitioners is not acceptable. Rule and special civil application stand disposed of accordingly with no order as to costs. Liberty is granted to the petitioners for revival of this special civil application in case of difficulty.

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zgs/-